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07-CV-00778-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

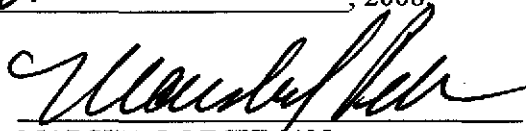
ANDRIAN SHERMAN, ) CASE NO. C07-0778-MJP  
Plaintiff, )  
v. )  
PATRICK BARNES, et al., ) ORDER DISMISSING § 1983 ACTION  
Defendants. )

The Court, having reviewed plaintiff's motion for summary judgment, defendants' motion for summary judgment, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby  
ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's motion for summary judgment (Dkt. No. 22) is DENIED;
- (3) Defendants' motion for summary judgment (Dkt. No. 35) is GRANTED;
- (4) The complaint and this § 1983 action are DISMISSED with prejudice;
- (5) The Clerk is directed to send copies of this Order to plaintiff, to counsel for

01 defendants, and to Judge Theiler.

02 DATED this 8 day of Feb., 2008.

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04 MARSHA J. PECHMAN  
05 United States District Judge  
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